

HOUSE BILL No. 1267

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-48-4-1.

Synopsis: Controlled substances. Makes dealing in cocaine or a narcotic drug within 1,000 feet of a church or a clearly designated school bus stop or bus stop a Class A felony.

Effective: July 1, 2007.

Friend, Ulmer

January 11, 2007, read first time and referred to Committee on Courts and Criminal Code.

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First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

HOUSE BILL No. 1267

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 35-48-4-1, AS AMENDED BY P.L.151-2006,
2 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2007]: Sec. 1. (a) A person who:
4 (1) knowingly or intentionally:
5 (A) manufactures;
6 (B) finances the manufacture of;
7 (C) delivers; or
8 (D) finances the delivery of;
9 cocaine or a narcotic drug, pure or adulterated, classified in
10 schedule I or II; or
11 (2) possesses, with intent to:
12 (A) manufacture;
13 (B) finance the manufacture of;
14 (C) deliver; or
15 (D) finance the delivery of;
16 cocaine or a narcotic drug, pure or adulterated, classified in
17 schedule I or II;



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commits dealing in cocaine or a narcotic drug, a Class B felony, except as provided in subsection (b).

(b) The offense is a Class A felony if:

(1) the amount of the drug involved weighs three (3) grams or more;

(2) the person:

(A) delivered; or

(B) financed the delivery of;

the drug to a person under eighteen (18) years of age at least three

(3) years junior to the person; or

(3) the person manufactured, delivered, or financed the delivery of the drug:

(A) on a school bus; or

(B) in, on, or within one thousand (1,000) feet of:

(i) school property;

(ii) a public park;

(iii) a family housing complex; or

(iv) a youth program center;

(v) a church;

(vi) a school bus stop that is clearly designated as a school bus stop; or

(vii) a bus stop that is clearly designated as a bus stop.

SECTION 2. [EFFECTIVE JULY 1, 2007]
IC 35-48-4-1(b)(3)(B)(v) through IC 35-48-4-1(b)(3)(B)(vii), as amended by this act, apply to crimes committed after June 30, 2007.

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